

REMARKS

Initially Applicant would like to express their appreciation to the Examiner for the Official Action.

In the Official Action, claims 1-19 were rejected under 35 U.S.C. § 102(e) as being anticipated by FULLER et al. (U.S. Patent Application Publication No. 2007/0211698 A1). Thus, the Official Action asserts that FULLER discloses all of the features recited in claims 1-19, including a call manager (46) as a controller, a subscriber premises (16) as a call destination, and IP telephones (18) as a plurality of telephone apparatuses being associated with the call destination, as illustrated in FULLER's Figure 1.

Applicant submits that the generalized application of FULLER to the claims does not explicitly address each of Applicant's three specific configurations being recited in the various independent claims, and fails to disclose all of the claimed features of the three specific configurations. Applicant's three specific configurations include a first configuration wherein Applicant's controller is located at the originating Internet telephone apparatus, a second configuration wherein Applicant's controller is located at an adapter for the originating Internet telephone, and a third configuration wherein Applicant's controller is located at the server for the Internet telephone communication.

Independent claims 1, 5, 16, 17, 18, and 19 are directed to Applicants' first configuration wherein the controller is located at the originating Internet telephone apparatus. With regard to this configuration, Applicant submits that FULLER fails to disclose a controller, i.e., call manager (46), located at the originating Internet telephone apparatus, i.e., IP telephones (18). (See FULLER's Figure 1, which illustrates FULLER's telephone network architecture.) This deficiency of FULLER is further illustrated in FULLER's Figure 2A, which illustrates an

operational flow chart of FULLER's system. FULLER's Figure 2A and the corresponding description, particularly relating to steps (100) and (102), disclose that an incoming VoIP Internet call (from the originating Internet telephone apparatus) is terminated at the call manager (46). In contrast to Applicant's first configuration, wherein the controller is located at the originating Internet telephone apparatus, Applicant submits that FULLER's call manager (46) appears to generally correspond to a server that is separate from the originating Internet telephone apparatus, which represents an entirely different system configuration than that recited in the claims.

Due to the different configuration between FULLER and Applicant's first configuration, Applicant submits that FULLER fails to disclose several features of each of independent claims 1, 5, 16, 17, 18, and 19. For instance, independent apparatus claims 1 and 5 explicitly recite that the Internet telephone apparatus includes the controller, which Applicant submits that FULLER fails to disclose.

As a further example, Applicant submits that FULLER fails to disclose an Internet telephone apparatus controller that transmits a call destination telephone number to a server, that receives an IP address corresponding to the call destination telephone number from the server, and that directly accesses the call destination for a call over the Internet based on the IP address received from the server, as recited in claims 1 and 5.

For at least the above reasons, Applicant submits that FULLER fails to disclose each and every feature recited in independent claims 1 and 5, and that as a result, FULLER fails to anticipate claims 1 and 5. Applicant also submits that claims 2-4 and 6-11, which depend either directly or indirectly on independent claims 1 and 5, respectively, are patentable for at least the reasons discussed above and further for the additional features recited therein.

Applicant further submits that the above discussed deficiencies of FULLER are similarly present with regard to independent system claims 16 and 17, and additionally with regard to independent method claims 18 and 19. Thus, Applicant submits that FULLER fails to disclose each and every feature recited in independent claims 16-19, and that as a result, FULLER fails to anticipate claims 16-19. Accordingly, Applicant respectfully requests that the rejection of claims 1-11 and 16-19, which correspond to Applicants' first configuration, wherein the controller is located at the originating Internet telephone apparatus, be withdrawn.

Independent claims 12 and 13 are directed to Applicant's second configuration, wherein the controller is located at a separate adapter for an Internet telephone. With regard to this second configuration, Applicant submits that FULLER fails to disclose a controller located at an adapter for an Internet telephone, that is separate from both the server and the telephone apparatus. This deficiency of FULLER is further illustrated in FULLER's Figure 2A, which illustrates an operational flow chart of FULLER's system. FULLER's Figure 2A and the corresponding description, particularly relating to steps (100) and (102) disclose that an incoming VoIP Internet call (from the originating Internet telephone apparatus) is terminated at the call manager (46). In contrast to Applicant's second configuration, wherein the controller is located at a separate adapter for an Internet telephone apparatus, Applicant submits that FULLER's call manager (46) appears to generally correspond to a server, which represents an entirely different system configuration than that recited in the claims.

Due to the different configuration between FULLER and Applicant's second configuration, Applicant submits that FULLER fails to disclose several features of each of independent claims 12 and 13. For instance, independent adapter claims 12 and 13 explicitly

recite that the adapter for an Internet telephone apparatus includes the controller, which Applicant submits that FULLER fails to disclose.

As a further example, Applicant submits that FULLER fails to disclose an adaptor having a controller that receives the call destination telephone number from the telephone apparatus, that transmits the call destination to the server, that receives the IP address corresponding to the telephone number from the server, and that directly accesses the call destination for a call over the Internet based on the IP address, as recited in claims 12 and 13.

For at least the above reasons, Applicants submit that FULLER fails to disclose each and every feature recited in independent claims 12 and 13. As a result, Applicants submit that FULLER fails to anticipate claims 12 and 13. Accordingly, Applicant respectfully requests that the rejection of claims 12 and 13, which correspond to Applicants' second configuration, wherein the controller is located at a separate adapter for an Internet telephone, be withdrawn.

Independent claims 14 and 15 are directed to Applicant's third configuration, wherein the controller is located at the server for the Internet telephone communication. With regard to this configuration, Applicant submits that FULLER's call manager (46) fails to disclose the inserting and transmitting of a predetermined symbol into the IP address that instructs the calling telephone apparatus to automatically access another telephone apparatus associated with the call destination without user intervention at the calling telephone when a predetermined telephone apparatus corresponding to the telephone number of the call destination is unavailable.

In contrast, Applicant submits that FULLER discloses in paragraphs [0040], [0041], and [0042] that the call manager (46) relays the IP address of the answering IP telephone to the calling IP telephone after the answering IP telephone answers the call, not before the calling IP telephone calls a telephone apparatus of a call destination, as recited in the claims. As a result,

Applicant submits that FULLER has no need to transmit such a predetermined symbol together with the IP address to the calling IP telephone. Further, Applicant submits that if the called IP telephone is either busy, or does not answer, that FULLER's call manager (46), not the calling telephone apparatus, manages a hunt group or pick group of IP telephones.

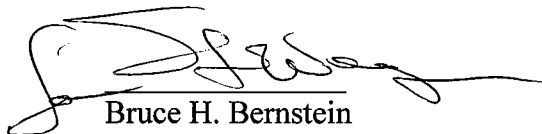
For at least the above reasons, Applicant submits that FULLER fails to disclose each and every feature recited in independent claims 14 and 15. As a result, Applicant submits that FULLER fails to anticipate claims 14 and 15. Accordingly, Applicant respectfully requests that the rejection of claims 14 and 15, which correspond to Applicants' third configuration, wherein the controller is located at the server for the Internet telephone communication, be withdrawn.

SUMMARY

From the remarks provided above, Applicant submits that all of the pending claims in the present application are patentable over the references cited by the Examiner, either alone or in combination. Accordingly, reconsideration of the outstanding Official Action is respectfully requested and an indication of allowance of claims 1-19 is now believed to be appropriate.

Should there be any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

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